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AT LYNCHBURG, VA
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MAY 19 2010

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

SYLVIA LEEDS, *Plaintiff,* v. JOHN DOE ONE, et al., *Defendants.*	CRIMINAL NO. 6:09cv-00061 **ORDER** JUDGE NORMAN K. MOON

This matter is before the Court on Plaintiff and Defendant Pendum LLC's joint motion for voluntary dismissal (docket no. 31). A second defendant, The Kroger Co. ("Kroger"), has filed a brief opposing the joint voluntary dismissal. Additionally, Kroger requests that if the Court grants the joint motion for voluntary dismissal, Kroger be granted leave to file a cross-claim or third-party complaint against Pendum LLC. For the reasons stated on the record in the May 18, 2010 hearing, the joint motion for voluntary dismissal (docket no. 31) is **GRANTED.** Additionally, for the reasons stated on the record in the May 18, 2010 hearing, Kroger's motion for leave to file a cross-claim or third-party complaint is **DENIED.**

The Clerk of the Court is directed to send a certified copy of this Order to all counsel of record.

It is so **ORDERED.**

Entered this 19th day of May, 2010.

NORMAN K. MOON
UNITED STATES DISTRICT JUDGE